

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DON PEDERSON, Individually And On Behalf  
Of All Others Similarly Situated,

Plaintiff,

v.

PENWEST PHARMACEUTICALS CO., KEVIN  
C. TANG, PETER F. DRAKE, JOSEPH E.  
EDELMAN, JOHN G. LEMKEY, DAVID P.  
MEEKER, ANNE M. VANLENT, RODERICK  
WONG, SAIID ZARRABIAN, ENDO  
PHARMACEUTICALS HOLDINGS, INC., AND  
WEST ACQUISITION CORP.,

Defendants.

Case No. 1:10-cv-06429

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern District of New York, I, Ross E. Firsenabaum, a member of good standing  
of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Peter J. Kolovos  
Firm Name: Wilmer Cutler Pickering Hale and Dorr LLP  
Address: 60 State Street  
City/State: Boston, MA 02109  
Phone No.: (617) 526-6493  
Fax No.: (617) 526-5000  
E-Mail: peter.kolovos@wilmerhale.com

Peter J. Kolovos is a member in good standing of the bar of the State of Massachusetts. There  
are no pending disciplinary proceedings against Peter J. Kolovos in any State or Federal Court.

OCT 04 2010

11/25-9/6583

DATED: New York, New York

October 14, 2010



Ross E. Firsenebaum

WILMER CUTLER PICKERING HALE AND DORR LLP

399 Park Avenue

New York, NY 10022

Tel: (212) 295-6323

Fax: (212) 230-8888

ross.firsenebaum@wilmerhale.com

*Counsel for Defendants Penwest Pharmaceuticals  
Co., Kevin C. Tang, Peter F. Drake, Joseph E.  
Edelman, John G. Lemkey, David P. Meeker, Anne  
M. VanLent, Roderick Wong, and Saied Zarrabian*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4 day of October 4, 2010, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice was filed with the Clerk of the Court. The foregoing was also served on counsel, indicated below, by placing the same in the First Class Mail, addressed as follow:

**Joseph N. Saccà**  
Skadden, Arps, Slate, Meagher & Flom LLP  
Four Times Square  
New York, New York 10036

**Juan Eneas Monteverde**  
Levi & Korsinsky, LLP  
30 Broadway  
15th Flr.  
New York, NY 10004



Saverino Mercadante

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
DON PEDERSON, Individually And On Behalf )  
Of All Others Similarly Situated, )  
Plaintiff, )  
v. )  
PENWEST PHARMACEUTICALS CO., )  
KEVIN C. TANG, PETER F. DRAKE, JOSEPH )  
E. EDELMAN, JOHN G. LEMKEY, DAVID P. )  
MEEKER, ANNE M. VANLENT, RODERICK )  
WONG, SAIID ZARRABIAN, ENDO )  
PHARMACEUTICALS HOLDINGS, INC., )  
AND WEST ACQUISITION CORP., )  
Defendants.)  
\_\_\_\_\_  
Case No. 1:10-cv-06429

**DECLARATION OF ROSS E.  
FIRSENBAUM IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
*PRO HAC VICE***

I, Ross E. Firsenbaum, declare under penalty of perjury, as follows:

1. I am a senior associate at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale"), counsel for Defendants Penwest Pharmaceuticals Co., Kevin C. Tang, Peter F. Drake, Joseph E. Edelman, John G. Lemkey, David P. Meeker, Anne M. VanLent, Roderick Wong, and Saiid Zarabian (the "Penwest Defendants") in this action. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit Peter J. Kolovos as counsel *pro hac vice* to represent the Penwest Defendants in this matter.

2. I am a member in good standing of the bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Kolovos is a partner at WilmerHale.

4. Mr. Kolovos is, in my judgment, a skilled attorney and a person of integrity. He is fully familiar with Federal practice and the Federal Rules of Civil Procedure.

5. Accordingly, I move for the admission of Peter J. Kolovos, *pro hac vice*. A proposed order granting the admission of Peter J. Kolovos, *pro hac vice*, is attached hereto.

WHEREFORE it is respectfully requested that this Court grant the motion to admit Peter J. Kolovos *pro hac vice*, to represent the Penwest Defendants in the above-captioned matter.

DATED: New York, New York

October 4, 2010



Ross E. Firsenebaum  
WILMER CUTLER PICKERING HALE AND DORR LLP  
399 Park Avenue  
New York, NY 10022  
Tel: (212) 295-6323  
Fax: (212) 230-8888  
ross.firsenebaum@wilmerhale.com

*Counsel for Defendants Penwest Pharmaceuticals  
Co., Kevin C. Tang, Peter F. Drake, Joseph E.  
Edelman, John G. Lemkey, David P. Meeker, Anne  
M. VanLent, Roderick Wong, and Saiid Zarrabian*

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **nineteenth** day of **December** A.D. **1996**, said Court being the highest Court of Record in said Commonwealth:

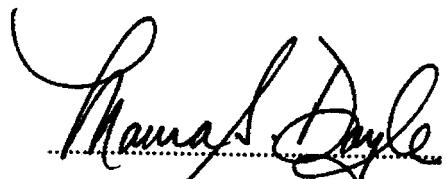
Peter James Kolovos

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **ninth** day of **September**

in the year of our Lord **two thousand and ten**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
DON PEDERSON, Individually And On Behalf )  
Of All Others Similarly Situated, ) Case No. 1:10-cv-06429  
Plaintiff, )  
v. )  
PENWEST PHARMACEUTICALS CO., )  
KEVIN C. TANG, PETER F. DRAKE, JOSEPH )  
E. EDELMAN, JOHN G. LEMKEY, DAVID P. )  
MEEKER, ANNE M. VANLENT, RODERICK )  
WONG, SAIID ZARRABIAN, ENDO )  
PHARMACEUTICALS HOLDINGS, INC., )  
AND WEST ACQUISITION CORP., )  
Defendants. )  
\_\_\_\_\_

**ORDER FOR ADMISSION *PRO  
HAC VICE* ON WRITTEN MOTION**

Upon the motion of Ross E. Firsenebaum, attorney for Defendants Penwest Pharmaceuticals Co., Kevin C. Tang, Peter F. Drake, Joseph E. Edelman, John G. Lemkey, David P. Meeker, Anne M. VanLent, Roderick Wong, and Saiid Zarrabian (the "Penwest Defendants"), and the sponsor attorney's declaration in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Peter J. Kolovos  
Firm Name: Wilmer Cutler Pickering Hale and Dorr LLP  
Address: 60 State Street  
City/State: Boston, MA 02109  
Phone No.: (617) 526-6493  
Fax No.: (617) 526-5000  
E-Mail: peter.kolovos@wilmerhale.com

is admitted to practice *pro hac vice* as counsel for the Penwest Defendants in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov).

DATED: \_\_\_\_\_, 2010  
New York, New York

Jed S. Rakoff  
United States District Judge